

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

K3 PROP, LLC,

Plaintiff,

v.

GQ SAND, LLC,

Defendant.

ORDER

16-cv-142-jdp

On June 29, 2017, the court noted that plaintiff K3 Prop, LLC's recent submissions cast doubt on the veracity of its earlier allegations about its citizenship and ordered K3 to adduce evidence sufficient to establish subject matter jurisdiction by July 3. Dkt. 63. The court warned the parties that failure to do so would result in prompt dismissal of the case for lack of subject matter jurisdiction with an award of fees and costs to defendant GQ Sand, LLC.

K3 failed to respond to the court's order. Because the record does not establish subject matter jurisdiction, the court must dismiss the case. The court will order K3 to pay GQ's reasonable actual attorney fees and costs incurred in defending this suit. To recover any of its fees, GQ must adhere to the court's guidance regarding fee requests. *See* Dkt. 15, at 41. Failure to follow the court's instructions will result in rejection or significant reduction of the fee award. The parties are encouraged to reach agreement as to the fees award, which would spare the parties and the court the effort and expense of litigating the amount.

ORDER

IT IS ORDERED that:

1. All claims by and against all parties are DISMISSED for lack of subject matter jurisdiction.
2. The clerk of court is directed to close the case.
3. Defendant GQ Sand, LLC, must file documentation supporting the attorney fees that it incurred in defending this action by July 20, 2017. Any opposition or response to the amount of fees is due by July 27.

Entered July 6, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge